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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/657,376	09/08/2003	Takahito Yamamiya	42530-5700	9443
7590 11/17/2005			EXAMINER	
Snell & Wilmer L.L.P. Suite 1200 1920 Main Street Irvine, CA 92614-7230			MORRISON, THOMAS A	
			ART UNIT	PAPER NUMBER
			3653	

DATE MAILED: 11/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	10/657,376		YAMAMIYA, TAKAHITO	
	Examiner		Art Unit	
		Thomas A. Morrison	3653	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claims 1-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1, it is unclear what element the recited driver is eccentrically mounted to.

Claims 1- 15 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. The omitted structural cooperative relationships are: (1) the omitted structure in claim 1 that allows the translating unit to non-rotatably displace an accepted banknote to a position within the banknote storing section; (2) the omitted structural relationship in claim 1 between the driving lever, the translating unit, the transporting unit and the driver that allows the recited operations to occur; (3) the omitted structural relationship in claim 2 between the driving lever, the transporting unit, the chassis, the driving crank and the translating unit that allows the recited operations to occur; (4) the omitted structure in claim 5 that allows the translating unit to non-rotationally displace a banknote; (5) the omitted structural relationship in claim 5 between the translating unit,

Art Unit: 3653

the driving section of the driving lever, the translating unit and the storing section that allows the recited operation to occur; (6) the omitted structure in claim 7 that allows the translating unit to non-rotationally displace a banknote; (7) the omitted structural relationship in claim 7 between the translating unit and the second driven lever that allows such lever to operate the translating unit; (8) the omitted structural relationship in claim 7 between the elastic member, the first driven lever and the second driven lever that allows the elastic member to apply variable contraction force and elastically link movement of the two levers; (9) the omitted structural relationship in claim 7 between the first driven lever, the second driven lever, the translating unit and the banknote storing section that allows the recited operation to occur; and (10) the omitted structural relationship in claim 12 between the bracket, the pins and the first shaft that allows the bracket member to not rotate.

Regarding claim 12, it is unclear what is meant by the recited long axis of the first shaft and the recited long axis of the second shaft.

Regarding claim 14, it is unclear what is meant by the recited long axis of the second shaft.

In claim 14 it is also unclear what is meant by the recited "wherein the first link member is mounted between the first bracket and the second bracket forming an inside region between the first bracket and the second bracket while the second link member is mounted on the first bracket on the side opposite from the first link member and the third link member is mounted on the second bracket on the side opposite the first link member".

Art Unit: 3653

These indefiniteness problems are exemplary. Applicant should review the claims and correct such problems as well as any lack of antecedent basis problems.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 3-4, 7-10 and 12, as best understood, are rejected under 35 U.S.C. 102(a) as being anticipated by U.S. Patent Publication No. 2002/0175463 (Abe et al).

Regarding claim 1, Figs. 15-25 show a compact driving unit for an automatic banknote receiving and storing unit, including

a chassis (including 201a, 201L and 201R);

a banknote accepting unit (202) for accepting a banknote (b), the banknote accepting unit (202) being mounted in the chassis (including 201a, 201L and 201R);

a safe unit (203) for retaining accepted banknotes (b), the safe unit (203) including a banknote storing section (near 234), the safe unit (203) being mounted

Art Unit: 3653

within and removable from the chassis (including 201a, 201L and 201R) (see, e.g., numbered paragraph [0066]);

a transporting unit (including 235, 223R, 224R, 229R, 273R, 285, 282, 252R and 253) for moving an accepted banknote (b) from the banknote accepting unit (202) to a position adjacent the banknote storing section (near 234)(i.e., the elements of 235 and element 253 both cause the accepted banknote to move as claimed), the transporting unit having a driving crank (including 229R) with a driver (lower portion of 229R) eccentrically mounted, the transporting unit being mounted within and removable from the chassis (including 201a, 201L and 201R) (see, e.g., Figs. 15, 20 and 21);

a translating unit (including 256) for non-rotationally displacing an accepted banknote (b) to a position within the banknote storing section (near 234) (see, e.g., Figs. 22 and 24); and

a driving lever (vertically extending portion to the right of 274R in Fig. 19) for operating the translating unit (including 256), the driving lever being driven by the transporting unit driving crank driver (lower portion of 229R).

Regarding claim 3, Figs. 15-25 show that the translating unit (including 256) includes a pushing board (256) and a parallel linkage.

Regarding claim 4, Figs. 15-25 show that the driving lever (vertically extending portion to the right of 274R in Fig. 19) is located at a side of the chassis (including 201a, 201L and 201R).

Regarding claim 7, Figs. 15-25 show a compact banknote safe, including

a banknote storing section (near 234);

a first driven lever (229L) for receiving a driving force;

a translating unit (including 256) for non-rotationally displacing a banknote into the banknote storing section (near 234), the translating unit (including 256) being operated by a second driven lever (273L); and

an elastic member (2sp2L) attached between the first driven lever (229L) and the second driven lever (273L)(i.e., see attachment point 273pL located between the two levers), the elastic member (2sp2L) for applying a variable contraction force and elastically linking the movement of the first driven lever (229L) to the second driven lever (273L), wherein the first driven lever (229L) can receive a driving force to move in a first direction thereby moving the second driven lever (273L) and causing the translating unit (including 256) to move a banknote into the banknote storing section (near 234).

Regarding claim 8, Figs. 15-25 show a banknote access door (210d) for removing stored banknotes from the banknote storing section (near 234).

Regarding claim 9, Figs. 15-25 show that the translating unit (including 256) includes a pushing board (256) and a parallel linkage.

Regarding claim 10, Fig. 20 shows that the elastic member (2sp2L) is a spring.

Art Unit: 3653

Regarding claim 12, Figs. 15-25 show that the parallel linkage has a first link member (259a), a second link member (259b) and a bracket member (256c), as claimed.

3. Claim 1, 3-4, 7-10 and 12, as best understood, are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Publication No. 2002/0175463 (Abe et al.).

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131. Note: the comparison between the elements of claims 1, 3-4, 7-10 and 12 and the elements of U.S. Patent Publication No. 20020175463 (Abe et al.) is the same as the comparison outlined above in the rejection under 35 U.S.C. 102(a).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 11 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Publication No. 2002/0175463 (Abe et al.).

Regarding claim 11, the Abe et al. publication meets the limitations of the claim except that it employs a spring rather than a rubber band in order to elastically link movement of the first and second driven levers. However, these two elements were art recognized equivalents at the time of the invention in those movement applications where it is immaterial whether the rubber band or spring is used for elastically linking movement of first and second driven levers. Therefore, one of ordinary skill would have found it obvious to substitute a rubber band for the spring of the Abe et al. publication to facilitate elastic movement of levers as shown in Figs 16 and 20 of Abe et al.

Regarding claim 15, the Abe et al. publication discloses the claimed invention except for the triangular shape of the bracket. It would have been an obvious matter of design choice to make the bracket (256c) of Abe et al. triangular, since applicant has not disclosed that the triangular shape of the bracket solves any stated problem or is for any particular purpose and it appears that the invention would perform equally well with a rectangular bracket or some other convenient shape of bracket.

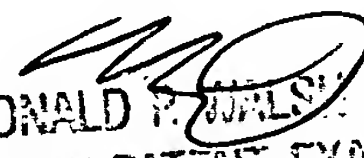
Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Morrison whose telephone number is (571) 272-7221. The examiner can normally be reached on M-F, 8am - 5pm.

Art Unit: 3653

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Walsh can be reached on (571) 272-6944. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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